

REMARKS

This paper is filed in response to the Office Action dated April 8, 2004. As this paper is filed on August 9, 2004 (August 8 being a Sunday) with a one-month extension of time, the paper is timely filed.

I. Status of Amendments

Claims 1-42 (renumbered according to the April 8 Office Action) were pending prior to this response. By this Amendment, applicants amend claims 9-11, 13, 14, and 16-20, and cancel claims 1-8 and 21-42 without prejudice to refile. Thus, claims 9-20 remain pending.

Because applicants have previously paid for 7 independent claims and 42 total claims, no fee is required by this amendment.

II. Response to the April 8 Office Action

A. Restriction Requirement

In an Office Action dated December 16, 2003, a two-way restriction requirement was made: Claims 1-28 and 38-42 (Species 1) and Claims 29-37 (Species 2). Applicants responded on January 16, 2004, electing Species 1, with traverse. Unpersuaded by applicants' traversal, the restriction is made final. Thus, claims 29-37 are withdrawn, and have now been cancelled by this amendment.

B. Claim Objections

Claims 13-43 were objected to for failing to be consecutively numbered relative to claims 1-11. Applicants have accepted the suggestion to renumber claims 13-43 as 12-42, and have renumbered the dependencies accordingly.

Claims 2, 5, 6, 9-11, 13, 14, 16-21, and 38 were objected to for various informalities. The objections as to claims 2, 5, 6, 21 and 38 are moot because these claims have been cancelled. As to the objections of claims 9-11 in paragraph 2d of the April 8 Office Action, the suggested amendments have been made, as have the suggested amendments relating to

claims 13, 14, and 16-20. As to the objection of claim 9 in paragraph 2e, applicants submit that the plurality referred to is “the plurality of reels” rather than “the plurality of indicia positions”, and have amended claim 9 accordingly.

C. Claim Rejections

Claims 1-8, 24-28 and 38-42 were rejected under 35 U.S.C. 103 as being allegedly unpatentable over Bennett (U.S. Patent No. 6,261,178) in view of Payne et al. (U.S. Patent No. 6,241,607). Claims 9-20 were rejected under 35 U.S.C. 103 as being allegedly unpatentable over Bennett. Claims 21-23 were rejected under 35 U.S.C. 103 as being allegedly unpatentable over Bennett (U.S. Patent No. 6,093,102).

As to the rejections of claims 1-8, 21-28 and 38-42, the rejections are moot because these claims have been cancelled.

As to the rejection of claims 9-20, it is stated that:

Bennett does not explicitly disclose assigning randomly the wager to a pay line. However, Bennett discloses randomly assigning a pay line under certain circumstances (col. 3, lines 57-60). Further, wagering would have been a well-known circumstance (triggering event).

Applicants respectfully disagree.

Initially, applicants note that claim 9 recites “displaying a plurality of paylines, each pay line comprising a predetermined different arrangement of indicia on at least one of the visible reel positions.” Claim 9 also recites “placing at least one wager” and “randomly assigning the at least one wager to at least one pay line of the plurality.” Thus, it should be apparent that the at least one wager is randomly assigned to at least one of a plurality of displayed paylines comprising predetermined arrangements of indicia.

Bennett differs in several respects. To begin, Bennett states that the “mystery line” is a “combination of symbol positions . . . randomly selected by the machine’s controller.” Col. 3:58-60. Thus, the “mystery line” combination in Bennett could hardly be referred to as “a predetermined [] arrangement of indicia” as required by claim 9. Moreover, Bennett specifically states that “[t]ypically the mystery line . . . would not be one of the combinations

illustrated in FIG. 1 and detailed in Table 1.” Col. 3:61-64. Thus, the allegedly corresponding combination of Bennett is not one of the displayed pay lines, as in claim 9, but rather any payline but one of the nine displayed paylines. See also Col. 4:8-12 (“Therefore, in a machine having 9 predefined paying arrangements of symbol locations there will be 234 normally non prize paying arrangements which are available for selection as a mystery line.”).

Applicants respectfully submit that there are more differences between the claimed subject matter and Bennett than the difference highlighted in the April 8 Office Action. Applicants further submit that the April 8 Office Action fails to appreciate all of the limitations recited in regard to the random assignment of the wager to the payline, and thereby does not fully appreciate the differences between the claimed subject matter and Bennett in that regard. When the claimed subject matter is read in the context of the claim as a whole, one will recognize that Bennett actually teaches away from the subject matter of claim 9.

As Bennett does not disclose, teach or suggest each and every limitation of claim 9, and actually teaches away from the subject matter of claim 9, claim 9 is not obvious. Moreover, as claim 9 is allowable, claims 10-20 that depend from claim 9 are allowable at least for the reason of their dependence from claim 9. Therefore, the rejection of claims 9-20 over Bennett should be withdrawn.

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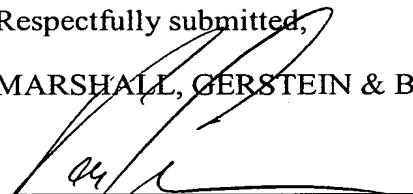
In view of the foregoing, it is respectfully submitted that the above application is in condition for allowance, and reconsideration is respectfully requested. If there is any matter that the Examiner would like to discuss, the Examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,

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